

VIRGINIA:

FILED

AUG 13 2010

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

JOHN T. FREY
Clerk of the Circuit Court
of Fairfax County, VA

ALLISON M. MOORE,
Plaintiff,

vs.

STEPHEN K. MOORE,
Defendant.

Serve to: [REDACTED]
Falls Church, VA 22043

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Civil Action No. 10-10006

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JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

AMENDED COMPLAINT FOR DIVORCE

COMES NOW the Plaintiff, ALLISON M. MOORE (hereinafter the "Plaintiff"), by Counsel, and files this, her Amended Complaint for Divorce. In support thereof, the Plaintiff states as follows:

1. Plaintiff and Defendant, STEPHEN K. MOORE (hereinafter the "Defendant"), were lawfully married on July 7, 1990, in Winnetka, Illinois.
2. Plaintiff has been for a period of at least six (6) months preceding the institution of this cause, a *bona fide* resident and domiciliary of the Commonwealth of Virginia.
3. The parties are both over the age of eighteen (18) years and neither is on active duty in the armed forces of the United States.
4. There were three (3) children born of the marriage, namely [REDACTED] Moore, born July 27, 1991, [REDACTED] Moore, born March 11, 1993, and [REDACTED] Moore, born April 26, 2001. There were no children adopted during the marriage.

5. The parties last cohabited as husband and wife at [REDACTED] Falls Church, Virginia 22043.

COUNT I – ADULTERY

6. On or before December 19, 2009, Defendant Stephen K. Moore created two different Match.com accounts, the sole purpose of which was to connect romantically with other women. After meeting and dating at least one other woman through these accounts, by February 2010, Defendant, by his own admission, commenced a romantic, adulterous relationship with Sherri Wallmark.

7. Defendant is and has been neither discreet nor inconspicuous with his relationship with Ms. Wallmark; in fact, he tastelessly and openly spoke with Plaintiff on several occasions about plans and events he was attending with Ms. Wallmark. On one such occasion, Defendant said to the parties' children in front of Plaintiff at their son's graduation ceremony, "I have two women, and what's really bad is when they fight over you." In addition, Defendant left several documents in the marital home relating to Ms. Wallmark and his affair with her, including, but not limited to, bills showing extravagant dinners, bills showing Defendant purchasing gasoline at a station near Ms. Wallmark's home very early in the morning, bills showing an airplane ticket purchased by Defendant with "Sherri Wallmark" listed as the passenger, a print-out of Mapquest directions to Ms. Wallmark's home, and a t-shirt Defendant bought for Ms. Wallmark with a Nike logo that reads, "Doing It." Defendant told Plaintiff that he was planning on ending the relationship with Ms. Wallmark; however, he has not done so. As recently as June 23, 2010, Defendant admitted that he had sexual relations with Ms.

Wallmark in an email to her in which he stated, "I still can't believe I had the awesome good luck to...sleep with you and hold you."

8. Defendant committed adulterous acts with Ms. Wallmark on several occasions at her home, including, but not limited to, the following approximate dates: March 26, 2010, April 11, 2010, May 29, 2010, June 5, 2010, and June 19, 2010. In addition, Defendant committed adulterous acts with Ms. Wallmark during multiple trips that he took with her, including, but not limited to, a trip to Denver on or about February 27, 2010, for which he purchased an airline ticket in her name, and a trip to Cambridge, Maryland on or about the weekend of May 9, 2010.

9. Since the commencement of Defendant's adultery, it has been neither procured by the connivance of the Plaintiff nor been condoned by her.

10. Plaintiff has been a good and dutiful wife to Defendant. She has suffered emotional and psychological abuse by Defendant throughout their marriage, yet has always been faithful to Defendant. In the Fall of 2009, Plaintiff had no other option but to leave the marital home with the youngest minor child to protect herself and her son from Defendant and Defendant's influence on the parties' two older children. Plaintiff's intention for leaving was to provide space for Defendant to allow him to get help and to change his behavior. She did so with the hope that time apart would allow the parties to reconcile at a later date. Since then, Defendant has neither altered his behavior towards Plaintiff nor ended his adulterous affair.

11. Plaintiff has been the primary caretaker and role model for the parties' children. She quit her job to devote her time to raising their children. By contrast, Defendant has recently acted indifferent towards their children. Defendant provides

little to no supervision to their older sons currently residing with him in the marital residence. In fact, Defendant often leaves their 16-year-old son unsupervised or left to be supervised by their 18-year-old son during the time he spends with Ms. Wallmark.

12. Defendant, by his acts and conduct, has demonstrated that he no longer cares for the Plaintiff and has completely destroyed the legitimate objects of matrimony, rendering a continuation of the marital relationship between the parties impossible to endure.

13. There is no hope or probability of reconciliation between the parties.

14. There are issues of equitable distribution and support to be resolved by this Court in this matter.

WHEREFORE, your Plaintiff prays:

a. that Defendant, STEPHEN K. MOORE, should be made a Defendant to the Amended Complaint for Divorce and be required to answer the allegations contained herein;

b. that Plaintiff be granted a divorce from the bond of matrimony on the grounds of adultery, under § 20-91 of the 1950 Code of Virginia, as amended;

c. that she be awarded custody of the parties' minor children, both *pendente lite* and permanent or, in the alternative, a custodial relationship with the children in their best interest;

d. that she be awarded child support, both *pendente lite* and permanent, for the benefit of the parties minor children;

e. that she be awarded spousal support and maintenance, both *pendente lite* and permanent, and/or by lump sum;

f. that the Court determine the legal title, ownership and value of all property of the parties, and which of such property is separate or marital property; and that the Court grant unto the Plaintiff a monetary award, and/or direct the conveyance of joint property or partition or sale thereof, pursuant to Section 20-107.3 of the 1950 Code of Virginia, as amended, as the Court may deem appropriate upon consideration of the various factors enumerated therein;

g. that upon entry of a Decree of Divorce pursuant hereto, the Court determine the debts which were incurred prior to the dissolution of the marriage; and for entry of an order apportioning the debts between the parties and/or ordering the payment of marital debts pursuant to Section 20-107.3 of the 1950 Code of Virginia, as amended, as the Court may deem appropriate upon consideration of the various factors enumerated therein;

h. that the Court enter an order prohibiting the Defendant from destroying, converting, dissipating, transferring, conveying, or otherwise disposing of any and all property of the parties over which this Court has jurisdiction pursuant to Section 20-107.3 of the 1950 Code of Virginia, as amended;

i. that she be awarded his attorneys' fees, expert witness fees, accounting fees, and any other fees and costs herein to carry on litigation in this matter, both *pendente lite* and permanent;

j. that Plaintiff be afforded such relief to which she may be entitled under Code Sections 20-79, 20-79.1, 20-79.2, 20-103, 20-108.1, 20-108.2 and 20-124.1, *et seq.*;

k. that she be granted such other and further relief as this Court may deem just and proper.

ALLISON M. MOORE, Plaintiff
By Counsel

THE ROOP LAW FIRM PLLC

By:


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